

Official Form 17  
(12/04)

# United States Bankruptcy Court

Eastern District Of New York

In re Fun City Seafood Steamer  
Debtor

Case No. 1-14-43389-NHL

Chapter 11

[Caption as in Form 16A, 16B, or 16D, as appropriate]

## NOTICE OF APPEAL

Plaintiff/Petitioner, the plaintiff [or defendant or other party] appeals under 28 U.S.C. § 158(a) or (b) from the judgment, order, or decree of the bankruptcy judge (describe) entered in this adversary proceeding [or other proceeding, describe type] on the 20 day of 08, 14.  
(month) (year)

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Dated: 9/18/2014

Signed: Douglas M. Clemmons  
Attorney for Appellant (or Appellant, if not represented by an Attorney)

Attorney Name: Douglas M. Clemmons

Address: 817 Broadway 5<sup>th</sup> floor  
New York, New York 10003

Telephone No: 646-620-0450

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U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF  
NEW YORK

If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a right to have the appeal heard by the district court. The appellant may exercise this right only by filing a separate statement of election at the time of the filing of this notice of appeal. Any other party may elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the district court.

If a child support creditor or its representative is the appellant, and if the child support creditor or its representative files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CIVIL COVER SHEET

This form is REQUIRED for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

IN RE: Bankruptcy Case No. 14-43389 NHL Adv. Pro. No. (*if applicable*) \_\_\_\_\_

**Bankruptcy Appeal**

APPELLANTS

Fun City Seafood Steamers, LLC

APPELLEES

United States Trustee  
Eastern District of New York

ATTORNEYS (FIRM NAME, ADDRESS, TEL. NO.)

Douglas M. Chermomor, Esq.  
817 Broadway 5th Floor New York,  
NY 10003 646-620-0450

ATTORNEYS (IF KNOWN)

BASIS OF JURISDICTION: Federal Question

CAUSE OF ACTION - 28:1334 Bankruptcy Appeal (*Write brief statement of cause.*)

Attorney was not made aware on the August 26, 2014 hearing to Show Cause

NATURE OF SUIT: 422 Bankruptcy Appeal (801)

RELATED CASE(S) IN DISTRICT COURT, IF ANY

DISTRICT JUDGE Nancy Hershley Lord

DOCKET NUMBER 14-43389 NHL

CIVIL CASES ARE DEEMED RELATED IF PENDING CASE INVOLVED:

1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT  
 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION  
 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT COPYRIGHT OR TRADEMARK

Date: 9/15/2014

Signature of Attorney of Record:  
*[or Appellant Pro Se]*

Douglas M. Chermomor, Esq.

FOR COURT USE ONLY

APPLYING IFP \_\_\_\_\_

JUDGE \_\_\_\_\_

MAG. JUDGE \_\_\_\_\_

CIVIL COVER SHEET, Bankruptcy Appeal (cont'd)

*14-43389-NHL*

Did the cause of action arise in Nassau or Suffolk County? \_\_\_\_\_

If YES, please indicate which county: \_\_\_\_\_

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I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

YES  NO

Are you currently the subject of any disciplinary action(s) in this or any other state or federal court?

YES  (If yes, please explain) NO

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Please provide your bar code and e-mail address below. Your bar code consists of the initials of your first and last name and the last four digits of your social security number, or any other four-digit number registered by the attorney with the Clerk of Court. This information must be provided pursuant to local rule 11.1(b) of the local civil rules.

Attorney Bar Code: SO72988

E-Mail Address: DouglasAntkiewiczLaw.com

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
In re:

Chapter 11

Fun City Seafood Steamers LLC,

Case No. 14-43389NHL

Debtor.

-----x  
**ORDER DISMISSING THE CASE**

WHEREAS, on July 1, 2014 (the "Petition Date"), the above-captioned debtor Fun City Seafood Steamers LLC (the "Debtor") filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code; and

WHEREAS, the Debtor is a Corporation and has filed its petition *pro se*; and

WHEREAS, the Court entered an Order to Show Cause on July 10, 2014 directing the Debtor to appear and show cause why this case should not be dismissed or converted for failure to be represented by counsel; and

WHEREAS, the Court held a hearing on the Order to Show Cause on August 20, 2014, at which there was no appearance by or on behalf of the Debtor;

WHEREAS, the Debtor previously filed a voluntary Chapter 11 petition, case no. 14-41418, on March 26, 2014, which was dismissed on June 17, 2014 on the basis that the Debtor failed to file certain small business documents, certain Schedules, and the Statement of Financial Affairs by the requisite deadlines in addition to failing to appear at the 341 meeting scheduled for May 2, 2014, and the hearing on the Court's Order to Show Cause which directed the Debtor to appear and show cause why the case should not be dismissed or converted for

failure to be represented by counsel on May 20, 2014; it is hereby

**ORDERED**, that the case is dismissed with prejudice for a period of one year.

Dated: September 5, 2014  
Brooklyn, New York



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*Nancy Hershey Lord*

Nancy Hershey Lord  
United States Bankruptcy Judge